Atty

Zavala, Gilbert (for Petitioner/Administrator Victor W. Siders)

## Third Amended Petition for Final Distribution and Waiver of Accounting For Allowance of Statutory Fees and Commissions

DOD: 8/5/2001			VICTOR W. SIDERS, Administrator with Will Annexed, is petitioner.		NEEDS/PROBLEMS/ COMMENTS:	
			Accounting is waived.			
Со	ont. from Aff.Sub.Wit.		I & A POH	-	\$85,000.00 \$40,218.31	
✓	Verified		Administrator	-	<b>\$3,400.00</b> (statutory)	
√ √	Inventory PTC		Attorney	-	<b>\$3,400.00</b> (statutory)	
<b>√</b>	Not.Cred.		Costs probate referee,	- nublicati	<b>\$623.00</b> (filing fees,	
✓	Notice of Hrg			•	ers issued, he went to	
✓	Aff.Mail	W/	Financial Title Cor	mpany to	seek a loan to pay of	
	Aff.Pub.		the decedent's d		nat Petitioner al Title told him the	
✓	Sp.Ntc.	W/			ice was to place title	
	Pers.Serv.		· ' '		nis wife's name, and	
	Conf. Screen		refinance to pay	off all of	qualify and obtain a decedent's debts. At	
✓	Letters 3/21	/03	not consult with C	Counsel c		
	Duties/Supp		Financial Title told			
	Objections		, –	•	thout excusing the ctions of Petitioner,	
	Video Receipt		Petitioner request	s that an	y said actions by	
	CI Report				to lack of knowledge of the title company	
1	for allowing what has been done. Petitioner was able to pay the debts of the decedent with the			n done. Petitioner was		
<b>√</b>						
	Aff. Posting		beneficiary and r			Reviewed by: KT
	Status Rpt					Reviewed on: 2/24/15
	UCCJEA		istribution, pursu	ant to De	ecedent's Will, is to:	Updates:
	Citation FTB Notice	N/A	Victor W. Siders	-	\$36,815.31	Recommendation: File 1C - Siders
	TID NOICE	IN/M				THE IC - Slucis

## 2 Jesus Gonzalez Rodriguez (GUARD/P)

Case No. 08CEPR00173

Atty Gonzalez, Jesus N. (Pro Per – Father – Petitioner)

Atty

Aguilar, Nellie (for Maria Ibarra – Maternal Grandmother – Guardian)

**Petition for Visitation** 

			See petition and various declarations filed thereafter for details.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 061113, 073013, 091013, 100813, 121313,		3,		
	314, 042114,			
	2314,081814,			
	714, 011215, 515			
011	Aff.Sub.Wit.			
-	Verified			
Ě				
$\vdash$	Inventory PTC			
$\vdash$	Not.Cred.			
~	Notice of			
	Hrg			
~	Aff.Mail	w/o		
	Aff.Pub.	, -		
	Sp.Ntc.			
	Pers.Serv.			
	Conf.			
	Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video			
_	Receipt			
_	CI Report			
<u> </u>	9202			
<u> </u>	Order			Pariamed hyroko
<u> </u>	Aff. Posting			Reviewed by: skc Reviewed on: 2-24-15
<u> </u>	Status Rpt UCCJEA			Updates:
_	Citation			Recommendation:
	FTB Notice			File 2 - Rodriguez

Atty

LeVan, Nancy J. (for Administrators Robert Jones and Denise Jones)

Second Amended Report of Administrator and Petition for Final Distribution Upon Waiver of Accounting of the Estate of Sharon Rutherford, and Petition for Allowance of Statutory, Extraordinary Compensation and Reimbursement for Out-of-Pocket Expenses and Mileage for Co-Administrators, Statutory and Extraordinary Fees for Attorney

DO	D: 10-11-11	ROBERT JONES and DENISE JONES,	NEEDS/PROBLEMS/
	2	Co-Adinistrators with Full IAEA wtihout bond, are	COMMENTS:
		Petitioners.	
		I&A: \$58,956.64	
		POH: \$13,493.96 (\$45,462.68 was paid to John	
	Aff.Sub.Wit.	Albert Edie, Jeffrey Nass, and Tomassian, Pimentel	
~	Verified	and Shapazian. See release of claim filed 7-6-14.)	
~	Inventory	Co-Administrators (Statutory): \$2,358.26	
~	PTC	CO 7 (αιτιιι ιισταίοι 3 (στατοτοί γ ) . ψ2,000.20	
~	Not.Cred.	Co-Administrators (Reimburse): \$1,721.24 including	
~	Notice of	\$1,335.00 for filing objections in related estate	
	Hrg	12CEPR00016, regarding appointment of a	
~	Aff.Mail	personal representative in the case and to the	
	Aff.Pub.	establishment of the ownership of the family	
	Sp.Ntc.	home, \$335.24 for vet bills for the decedent's cat	
	Pers.Serv.	and \$51.00 for securing the decedent's residence after her death (changing the locks).	
	Conf.	and her deam (enanging me locks).	
	Screen	Co-Administrators (Extraordinary): \$1,150.00	
~	Letters	(for 46 hours @ \$25/hr in connection with the civil	
	Duties/Supp	lawsuit)	
	Objections	Co-Administrators (Mileage): \$2,055.20	
	Video	(for 3,670 miles @ \$.56/mile)	
	Receipt	(101 0,07 0 11 mes @ \$.00,11 me)	
	CI Report	Attorney (Statutory): \$2,358.26	
~	9202		
~	Order	Attorney (Extraordinary): 3,416.00	
	Aff. Posting	(pursuant to Declaration filed 8-12-14)	Reviewed by: skc
	Status Rpt	Costs: \$435.00 (this petition, paid 7-9-14)	Reviewed on: 2-24-15
	UCCJEA	C0313. \$400.00 (11113 PC1111011, Pala 7-7-14)	Updates:
	Citation	Petitioners request that the administration of this	Recommendation:
~	FTB Notice	estate be closed, that this report be allowed and	File 3 - Rutherford
		approved as filed, that all acts and transactions	
		be confirmed and approved, that the above	
		statutory and extraordinary fees and costs be	
		authorized, and distribution of any other property	
		of the decedent or estate not now known or	
<u> </u>		hereafter discovered be made to Petitioners.	

## 4 Jose A Martinez (Estate)

Case No. 12CEPR00885

Atty Hemb, Richard E (for Petitioner/former Adminstrator Michele Curley)

Atty Kruthers, Heather H (for Objector/current Adminstrator Public Guardian)

First and Final Account and Report of Former Administrator

D: 9/7/2012						
nt from						
Inventory						
PTC						
Not.Cred.						
Notice of						
Hrg						
Aff.Mail	W/					
Aff.Pub.						
Sp.Ntc.						
Pers.Serv.						
Conf.						
Letters 1/2	2/13					
Duties/Supp						
Objections						
Video						
Receipt						
CI Report						
9202						
Order	Х					
Aff. Posting	İ					
FTB Notice						
	nt. from  Aff.Sub.Wit.  Verified  Inventory  PTC  Not.Cred.  Notice of Hrg  Aff.Mail  Aff.Pub.  Sp.Ntc.  Pers.Serv.  Conf. Screen  Letters   1/2  Duties/Supp  Objections  Video Receipt  CI Report  9202  Order  Aff. Posting  Status Rpt  UCCJEA  Citation					

MICHELE CURLEY,	former	Administrator, is
petitioner.		

Account period: 9/7/12 - 9/2/14

Accounting - \$110,367.38 Beginning POH - \$110,367.38 Ending POH - \$49,984.67

Current bond: \$44,000.00

## Petitioner prays:

- That the administration of this estate by Michele R. Curley be brought to a close;
- 2. That the first and final account be settled, allowed and approved as filed;
- 3. That all acts and proceedings of petitioner as administrator be confirmed and approved;
- 4. That Michele R. Curley assist the court in distributing the assets of the estate as directed;
- 5. The petitioner may be released from bond.

Objections of Public Administrator filed on 1/29/15 states they were appointed Administrator of the estate by minute order dated 9/2/14.

The Public Administrator objects to the former Administrator stating the estate is in a condition to be closed. The Public Administrator is still in the process of selling the real property via a short sale in order to avoid accruing additional abatement fees against the estate. The estate cannot be distributed until the sale is completed.

#### Wherefore, the Public Administrator Prays:

- The Court find that the estate is not in a condition to close;
- 2. The court deny the final account of the former administrator.

## NEEDS/PROBLEMS/COMMENTS:

1. **Need Order.** Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required.

Reviewed by: KT
Reviewed on: 2/24/15
Updates:
Recommendation:

File 4 - Martinez

## 5 Ronald David Gray (Estate)

Case No. 14CEPR00211

Atty French, G Dana (for Petitioners/Executors Dennis Veeh and Bruce M. Brown)

(1) Final Report and Petition for Settlement Thereof; for (2) Allowance of Attorneys' Fees; (3) for Allowance of Costs Advanced; and (4) Petition for Final Distributionc

DOD: 11/14/13		DENNIS VEEH and BRUCE M. BROWN,			NEEDS/PROBLEMS/COMMENTS:
		Co-Executors, are petitioners.		ers.	
		Accounting is waived.			Note: Consistent with the Court's recent practice, if Court determines an informal accounting of the
Со	nt. from	1& A	-	\$812,632.76	closing reserve is warranted, Court
	Aff.Sub.Wit.	POH	-	\$804,279.47	will set a Status Hearing as follows:
✓	Verified	Executors	_	waive	Wednesday, September 2, 2015     At 2:00 a.m. in Dept. 202 for an
✓	Inventory			_	at 9:00 a.m. in Dept. 303 for an Informal Accounting of the
✓	PTC	Attorney (less than statutory)	-	\$12,445.50	\$5,000.00 Closing Reserve.
✓	Not.Cred.				Pursuant Local Rule 7.5, if the
1	Notice of	Costs	- roforo	\$2,547.74	document noted above is filed 10
	Hrg	(filing fees, probate publication)	reiere	e ana	days prior to the date listed, the
✓	Aff.Mail W/	,		<b>65 000 00</b>	hearing will be taken off calendar and no appearance will be required.
	Aff.Pub.	Closing reserve	-	\$5,000.00	Filing of the informal accounting of
	Sp.Ntc.	Distribution, pursual	nt to De	ecedent's	closing reserve will not generate a
	Pers.Serv.	Will, is to:	10 50		new hearing date.
	Conf.				
	Screen	Dennis Veeh and B			
✓	<b>Letters</b> 4/25/14	Co-Trustees of the R Trust – personal pro			
	Duties/Supp	\$347,279.47			
	Objections				
	Video				
	Receipt				
	CI Report				
✓	9202				
✓	Order				
	Aff. Posting	<u> </u>			Reviewed by: KT
	Status Rpt	_			Reviewed on: 2/26/15
	UCCJEA				Updates:
	Citation	  -			Recommendation: SUBMITTED
✓	FTB Notice				File 5 - Gray
					_

Koligian, Robert (for Petitioner/Executor Charles Robert Siek)

Petition for Termination of Proceedings and Discharge

DC	D: 4/26/1	13		CHARLES ROBERT SIEK, Executor, is		EEDS/PROBLEMS/COMMENTS:
	, <del>, , , , , , , , , , , , , , , , , , </del>			petitioner.	'``	LEBO, I ROBLEMO, COMMENTO.
Co	ont. from			Petitioner states there is no property of any kind, whatsoever, beloing to the estate and subject to administration	1.	It appears that there was an asset of the estate, the Merrill Edge Account, which was transferred to the Trust without
	Aff.Sub.\	Wit.		which remains for distribution in that		court authorization. Probate
✓	Verified			the decedent has a revocable trust which the one asset which was not		Code §10501(a)(4). Therefore it appears that the administration
	Inventor	ry		titled in the trust, to wit, the Merrill Edge		of the estate should proceed
	PTC			Account, has been transferred to the		which would include the filing of
	Not.Cre	d.		trust. Therefore, the Petitioner is not		an inventory and appraisal and a
	Notice o	of		aware of any additional property which is subject to this probate		Petition for Final Distribution.
	Aff.Mail			proceeding.	2.	Petition does not address notice
	Aff.Pub.	ĺ		<b>Petitioner requests</b> that the court make		to Department of Health Services.
	Sp.Ntc.			an order terminating the	3.	Petition does not address Notice
	Pers.Ser	v.		administration of the estate and		to the Franchise Tax Board.
	Conf. Sc	reen		discharging the personal		
✓	Letters	5/21/	14	representative.		
	Duties/S	upp				
	Objection	ons				
	Video					
	Receipt					
	CI Repo	rt				
	9202					
✓	Order					
	Aff. Post	ing			Re	eviewed by: KT
	Status R					eviewed on: 2/24/15
	UCCJEA	\ <u> </u>			Up	odates:
Citation				Re	commendation:	
	FTB Notic	ce			File	e 6 - Siek
						6

Bagdasarian, Gary G. (for Sharon Shrives – Conservator)

Probate Status Hearing Re: Filing Inventory and Appraisal

	SHARON SHRIVES, was appointed	NEEDS/PROBLEMS/COMMENTS:
	Conservator of the Person and of the Estate	, , , , , , , , , , , , , , , , , , , ,
	on 09/25/2014 with bond set at \$40,000.00.	1. Need Inventory and Appraisal or
	=	current written status report
Cont. from	Letters issued on 09/25/2014.	pursuant to Local Rule 7.5 which
	14: 14: 0 14: 100/05/0014 4 11: 14: 14: 1	states in all matters set for status
Aff.Sub.Wit.	Minute Order of 09/25/2014 set this matter for	hearing verified status reports
Verified	hearing.	must be filed no later than 10
Inventory	_	days before the hearing. Status
PTC		Reports must comply with the
Not.Cred.		applicable code requirements.
Notice of		Notice of the status hearing,
Hrg		together with a copy of the Status
Aff.Mail		Report shall be served on all
Aff.Pub.		necessary parties.
Sp.Ntc.		riocossary parmos.
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202	]	
Order		
Aff. Posting		Reviewed by: LV
Status Rpt		<b>Reviewed on:</b> 02/24/2015
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 7 - Mardis
		7

Winter, Gary L (for Joseph W. Hayes – Administrator)

Probate Status Hearing Re: Filing Inventory & Appraisal

_	riodale sialos fleating ke. rilling inventory	a rippidiodi
		NEEDS/PROBLEMS/COMMENTS:
		000000000000000000000000000000000000000
		Off Calendar. Inventory and
		Appraisal filed 11/07/2014.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202	<u> </u>	
Order	<u>_</u>	
Aff. Posting	_	Reviewed by: LV
Status Rpt	_	<b>Reviewed on:</b> 02/24/2015
UCCJEA	_	Updates:
Citation	_	Recommendation:
FTB Notice		File 8 - Hayes

Atty Kruthers, Heather H (for Conservator/Public Guardian)

Atty Fanucchi, Edward L. (Petitioner/court appointed for conservatee)

Petition for Payment of Attorneys' Fees and Costs for Court Appointed Counsel for Conservatee

		EDWARD FANUCCHI, petitioner was	NEEDS/PROBLEMS/COMMENTS:
		Court appointed to represent the	
		Conservatee on 9/29/14.	1. Need Order. Local Rule 7.1 states
			a proposed Order shall be
Со	nt. from	PUBLIC GUARDIAN was appointed	submitted with all pleadings that request relief. If the proposed
	Aff.Sub.Wit.	Conservator of the Person and	order is not received in the
/	Verified	Estate on 12/9/14.	Probate Filing Clerk's Office ten
<u> </u>		Petitioner requests fees in	(10) days before the scheduled
	Inventory	connection with the representation	hearing, a continuance may be
	PTC	of the Conservatee for the Public	required.
	Not.Cred.	Guardian's petition to appoint a	
✓	Notice of	conservator.	
	Hrg	Conservator.	
✓	Aff.Mail W/	Petitioner <b>asks that he be paid</b> from	
	Aff.Pub.	the conservatorship estate for <b>9.25</b>	
	Sp.Ntc.	hours @ \$250.00 per hour for a total	
	Pers.Serv.	of \$2,312.00 and for costs of \$435.00.	
	Conf.	Services are itemized by date and	
	Screen	include review of documents, visits	
	Letters	with client, court investigator and	
	Duties/Supp	court appearances.	
	Objections	coon appearances.	
	Video		
	Receipt		
	CI Report		
	9202		
	Order X		
	Aff. Posting		Reviewed by: KT
	Status Rpt		Reviewed on: 2/24/15
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 9 - Brown

10 Isidora Rangell (CONS/PE)

Case No. 14CEPR00954

Atty Amador, Catherine A (for Aristan Cruz – Petitioner – Son)

Atty Walters, Jennifer L. (Court Appointed for Proposed Conservatee)

Atty O'Neill, Patricia B (for Rebecca Diaz – Objector)

Amended Petition for Appointment of Probate Conservator of the Person and Estate

Age: 86	NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
	<u>Please see file for details.</u>	Need Video Receipt     pursuant to Local Rule     7.15.8(A).
Cont. from  Aff.Sub.Wit.  Verified  Inventory		2. Attachment Requesting Special Orders Regarding Dementia, GC-313, is incomplete.
PTC Not.Cred.  ✓ Notice of Hrg		The Capacity Declaration signed by Dr. Alexander Sherriffs was not dated.
✓ Aff.Mail W/  Aff.Pub.		4. Dr. Sherriffs did not initial the Capacity Declaration at #7b as required.
Sp.Ntc.		m/b dsrequiled.
✓ Pers.Serv.		5. #5a and #5b of the Capacity Declaration was
✓ Conf. Screen ✓ Letters		not answered regarding whether the proposed conservatee is able to
<b>V</b>   <b>D</b>   <b>I</b>   <b>G</b>		attend the hearing.
<ul><li>✓ Duties/Supp</li><li>✓ Objections</li></ul>		Neither Capacity     Declarations appear to
Video X Receipt		support the Petitioner's request for medical consent.
CI Report		
9202 √ Order		
Aff. Posting		Reviewed by: LV
Status Rpt		<b>Reviewed on:</b> 02/24/2015
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 10B - Rangell

Nuttall, Natalie R. (for Heather L. Aguirre – Petitioner – Daughter)

Order to Show Cause RE: Failure to Appear and Failure to File the Bond

DOD: 09/23/2014	HEATHER L. AGUIRRE, daughter was appointed Administrator with full IAEA authority and bond set at \$352,000.00.	NEEDS/PROBLEMS/ COMMENTS:
Cont. from	Receipt of Bond filed in the amount of \$352,000.00 on 02/11/2015.	Need New     Letters.  Note: Letters issued
Aff.Sub.Wit.  Verified  Inventory  PTC  Not.Cred.  Notice of Hrg	Minute Order of 01/15/2015 set this matter for an Order to Show Cause. Minute Order states the Court issues an Order to Show Cause to Natalie Nuttall and Heather L. Aguirre as to why both should not be sanctioned for failure to appear and failure to file the proof of bond. Ms. Nuttall and Ms. Aguirre are both ordered to be personally present in court or appear by Court Call on 02/26/2015.	on 12/22/2014 were stricken as the proof of bond has not been filed.
Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt	Declaration of Natalie R. Nuttall Re: Original Bond and Non-Appearance at 01/15/2015 Status Hearing filed 02/19/2015 states on 01/09/2014, a Fresno County Legal runner service attempted to file the original bond at the Probate Clerk's office. However, the runner service informed Attorney Nuttall that the Probate Clerks refused to accept and file the bond, as it does not have a "raised seal," and as such, could not accept the submission as the "original" bond. Attorney Nuttall contacted the insurance agent who secured the bond, through CNA Surety Bond Company. He informed Attorney Nuttall that the bonds have an "imbedded seal," which has been approved and accepted by California Courts, and as the product of CAN Surety's online bond system.	
CI Report 9202 Order Aff. Posting Status Rpt  UCCJEA Citation FTB Notice	On that same day (01/09/2015), Ms. Nuttall drafted and filed a Declaration with this Court, attaching the original bond, explaining the above, and requesting that the Court accept for filing the original bond. Ms. Nuttall mistakenly believed, however, that upon the filing of the Declaration, the 01/15/2015 hearing would be taken off the Court's calendar, thereby excusing Ms. Nuttall's appearance. She realized this assumption was made in error and apologizes to the Court for the non-appearance.  On 02/11/2015, the original bond in the amount of \$352,000.00, with raised seal, was accepted for filing and filed with the Court.  Ms. Nuttall and her client will be present, either in person or by Court Call (as ordered by this Court on 01/15/2015), at the Order to Show Cause Hearing on 02/26/2015.	Reviewed by: LV  Reviewed on: 02/25/2015  Updates:  Recommendation:  File 11 - MacMurray

## 12A Oscar Armando Orellana Guevara (GUARD/P) Case No. 14CEPR01152

Atty Farah, Nadia of Tracy, CA (for Jose Encarnacion Orellana Guevara – first cousin once removed/Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 17			NO TEMPORARY IN PLACE;	NEEDS/PROBLEMS/COMMENTS:
	,		TEMPORARY PETITION WAS CONTINUED TO	
			<u>02/26/15</u>	Need proof of service at least
			JOSE ENCARNACION ORELLANA GUEVARA,	15 days before the hearing of Notice of Hearing with a copy
			first cousin once removed, is Petitioner.	of the Petition for Appointment
	nt. from			of Guardian of the Person <u>or</u>
	Aff.Sub.Wit.		Father: <b>UNKNOWN</b>	Consent & Waiver of Notice <u>or</u>
<b>✓</b>			Mother: MARIA ORELLANA – Consent &	Declaration of Due Diligence
Ě	Verified		Waiver of Notice filed 12/22/14	for: a. Oscar Orellana Guevara
	Inventory			(minor) – personal service
	PTC		Paternal grandparents: UNKNOWN	required
	Not.Cred.		Maternal grandfather: LUCIO OPELLANA	b. Father (unknown) –
✓	Notice of		Maternal grandfather: LUCIO ORELLANA – served by mail on 01/05/15	personal service required c. Paternal grandparents
	Hrg		Maternal grandmother: FELIPE GUEVARA –	(unknown) – service by mail
✓	Aff.Mail	w/	served by mail on 01/05/15	sufficient
	Aff.Pub.		Ciblings CADAENLODELLANIA CUEVADA	
	Sp.Ntc.		Siblings: CARMEN ORELLANA GUEVARA, ANA ORELLANA GUEVARA, REYNA	
	Pers.Serv.	Χ	ORELLANA GUEVARA, KATHERINE	
✓	Conf.	ORELLANA GUEVARA – all served by mail on		
	Screen		01/05/15	
✓	Letters		Petitioner states that Oscar was born in El	
✓	Duties/Supp		Salvador and lived there until he fled after	
	Objections		being threatened with death by the	
	Video		"Mara" gang. He was apprehended at the border in September 2013 and was	
	Receipt		released to Petitioner who has been caring	
✓	CI Report		for him since. Oscar is currently enrolled in	
	9202		school but has no legal guardian to direct	
✓	Order		medical treatment should an emergency arise or for his school to contact regarding	
	Aff. Posting		educational concerns/needs of the minor.	Reviewed by: JF
	Status Rpt			<b>Reviewed on:</b> 02/24/15
✓	UCCJEA		If a guardianship is established, Oscar will	Updates:
	Citation		be eligible for Special Immigration Juvenile Status. Petitioner states that Oscar's mother	Recommendation:
	FTB Notice		consents to the guardianship and a	File 12A - Guevara
			notarized statement from her is provided.	
			Court Investigator JoAnn Morris filed a	
<u></u>			report on 02/19/15.	

12A

#### 12B Oscar Armando Orellana Guevara (GUARD/P) Case No. 14CEPR01152 Farah, Nadia of Tracy, CA (for Jose Encarnacion Orellana Guevara – non-relative/Petitioner) Atty

Petition for Appointment of Temporary guardianship of the Person

Aq	e: 17		GENERAL HEARING: 02/26/15	NEEDS/PROBLEMS/COMMENTS:
			JOSE ENCARNACION ORELLANA GUEVARA, non-relative (godfather), is Petitioner.	CONTINUED FROM 01/21/15 As of 02/24/15, nothing further has been filed in regards to this Petition and the following notes remain:
Со	ont. from 01261	5	Father: <b>UNKNOWN</b>	Need Notice of Hearing.
<b>✓</b>	Aff.Sub.Wit.  Verified  Inventory		Mother: <b>MARIA ORELLANA</b> – Consent & Waiver of Notice filed 12/22/14	Need proof of service of personal service at least 5 court days before the hearing of Notice of Hearing
	PTC Not.Cred.		Paternal grandparents: UNKNOWN	with a copy of the Petition for Appointment of Temporary Guardian of the Person <u>or</u> Consent
✓ ✓	Notice of Hrg Aff.Mail	w/	Maternal grandfather: LUCIO ORELLANA Maternal grandmother: FELIPE GUEVARA	& Waiver of Notice <u>or</u> Declaration of Due Diligence for:  a. Father (unknown)
	Aff.Pub.	VV /	Petitioner states that Oscar was born in	b. Oscar Orellana Guevara (minor)
	Sp.Ntc. Pers.Serv.	Х	El Salvador and lived there until he fled after being threatened with death by	,
✓ ✓	Conf. Screen		the "Mara" gang. He was apprehended at the border in September 2013 and was released to	
<b>✓</b>	Letters  Duties/Supp		Petitioner who has been caring for him since. Oscar is currently enrolled in	
	Objections Video Receipt		school but has no legal guardian to direct medical treatment should an emergency arise or for his school to	
	CI Report 9202		contact regarding educational concerns/needs of the minor.	
<b>√</b>	Order Aff. Posting		If a guardianship is established Oscar	Reviewed by: JF
<b>✓</b>	Status Rpt UCCJEA		will be eligible for Special Immigration Juvenile Status. Petitioner states that Oscar's mother consents to the	Reviewed on: 02/24/15 Updates:
	Citation FTB Notice		guardianship and a notarized statement from her is provided.	Recommendation: File 12B - Guevara

**12B** 

## 12C Oscar Armando Orellana Guevara (GUARD/P) Case No. 14CEPR01152 Atty Farah Nadia of Tracy CA (for Jose Encarnación Orellana Guevara – first cousin once

Atty Farah, Nadia of Tracy, CA (for Jose Encarnacion Orellana Guevara – first cousin once removed/Petitioner)

Petition for Factual Findings Regarding Oscar's Eligibility to Apply for Special Immigrant Juvenile Status

Ag	je: 17		JOSE ENCARNACION ORELLANA	NEEDS/PROBLEMS/COMMENTS:
-			<b>GUEVARA</b> , first cousin once removed, is Petitioner.	Petition is not verified by
			reillioner.	Petitioner, Jose Encarnacion
			<b>Petitioner states:</b> The minor, Oscar	Orellana Guevara.
			Armando Orellana Guevara, is eligible	
Co	nt. from	1	to apply for Special Immigration	
	Aff.Sub.Wit.		Juvenile Status because he is under the	
	Verified	Χ	age of 21 and unmarried; he is	
	Inventory		physically present in the United States; and upon granting of a guardianship,	
	PTC		this Court will have established	
	Not.Cred.		jurisdiction over him; reunification with	
	Notice of		his parents is not viable due to abuse,	
	Hrg		abandonment or neglect; and it has	
	Aff.Mail		been determined that it is not in the	
	Aff.Pub.		minor's best interest to return to El Salvador, his country of nationality.	
	Sp.Ntc.		Petitioner states that without this Court's	
	Pers.Serv.		approval and findings, the minor may	
	Conf.		not qualify for immigration relief and will	
	Screen		be at risk of deportation to El Salvador,	
	Letters		where his mother is unable to take care	
	Duties/Supp		of him and protect him from dangerous gang activities.	
	Objections		garig activities.	
	Video		Memorandum of Points & Authorities	
	Receipt		attached.	
	CI Report			
	9202		Petitioner requests that this Court issue	
<b>√</b>	Order		an Order making the requisite findings	
	Aff. Posting		of fact that will allow Oscar Armando Orellana Guevara to submit his petition	Reviewed by: JF
-	Status Rpt		for Special Immigration Juvenile Status	<b>Reviewed on:</b> 02/24/15
	UCCJEA		to the United States Citizenship &	Updates:
	Citation		Immigration Service.	Recommendation:
	FTB Notice			File 12C - Guevara

12C

Atty

Farah, Nadia (for Jose Santos Quinteros – non-relative/Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Ag	e: 16		NO TEMPORARY IN PLACE;	NEEDS/PROBLEMS/COMMENTS:
			TEMPORARY PETITION WAS CONTINUED TO	
			<u>02/26/15</u>	Need proof of personal
			JOSE SANTOS QUINTEROS, non-relative (family	service at least 15 days before the hearing of <i>Notice</i>
			friend), is Petitioner.	of Hearing with a copy of the
Со	nt. from		Father: <b>JUAN JOSE BARRERA AGUILAR</b> –	Petition for Appointment of
	Aff.Sub.Wit.		Consent & Waiver of Notice filed 12/22/14	Guardian of the Person <u>or</u>
<b>√</b>	Verified			Consent & Waiver of Notice or Declaration of Due
	Inventory		Mother: RUBENIA ELIZABETH CALLEJAS – Consent & Waiver of Notice filed 12/22/14	Diligence for:
	PTC		Consent & Walver of Notice filed 12/22/14	A. Oscar Orellana Guevara
$\vdash$	Not.Cred.		Paternal grandfather: EUGOLIO BARRERA	(minor)
<b>√</b>	Notice of		SANTOS – served by mail on 01/05/15 Paternal grandmother: ALBERTINA AGUILAR –	
	Hrg		served by mail on 01/05/15	
<b>√</b>	Aff.Mail		,	
$\vdash$	Aff.Pub.		Maternal grandfather: JOSE ABRAHAM CALLEJAS – served by mail on 01/05/15	
			Maternal grandmother: MANUELA REYES –	
	Sp.Ntc.	\ \	served by mail on 01/05/15	
<b>✓</b>	Pers.Serv.	Χ	Siblings: LANDER BARRERA CALLEJAS, JUAN	
•	Conf. Screen		JOSE BARRERA CALLEJAS, EVELIO BARRERA	
<b>√</b>	Letters		CALLEJAS, ANGIE MAYELO BARRERA	
· /			CALLEJAS, ANGEL BARRERA CALLEJAS – all served by mail on 01/05/15	
<b>v</b>	Duties/Supp		Served by mail on 01/03/13	
	Objections		Petitioner states that Jose was born in El	
	Video		Salvador and lived there until he fled after being threatened with death by a gang if he	
<b>√</b>	Receipt		did not join them. He was apprehended at	
_	CI Report		the border in July 2014 and was released to	
<b>✓</b>	9202		Petitioner who has been caring for him since. Oscar is currently enrolled in school but has no	
_	Order		legal guardian to direct medical treatment	Basicas d Isaa 15
	Aff. Posting		should an emergency arise or for his school to	Reviewed by: JF
./	Status Rpt		contact regarding educational concerns/needs of the minor. If a guardianship	Reviewed on: 02/24/15
_	UCCJEA		is established Jose will be eligible for Special	Updates:
	Citation		Immigration Juvenile Status. Petitioner states	Recommendation:
	FTB Notice		that Jose's parents consent to the guardianship and a notarized statement from	File 13A - Callejas
			them is provided.	
			DSS Social Worker Irma Ramirez filed a report on 02/20/15.	

Farah, Nadia (for Jose Santos Quinteros – non-relative/Petitioner)

Petition for Factual Findings Regarding Jose Marvin's Eligibility to Apply for Special Immigrant Juvenile Status

Ag	Age: 16		JOSE SANTOS QUINTEROS, non-relative,	NEEDS/PROBLEMS/COMMENTS:
			is Petitioner.	1 5 111
			B. PP.	1. Petition is not verified by
			<b>Petitioner states:</b> The minor, Jose Marvin	Petitioner, Jose Santos
			Barrera Callejas, is eligible to apply for	Quinteros.
Со	nt. from		Special Immigration Juvenile Status because he is under the age of 21 and	
	Aff.Sub.Wit.		unmarried; he is physically present in	
	Verified	Х	the United States; and upon granting of	
	Inventory		a guardianship, this Court will have	
	PTC		established jurisdiction over him; reunification with his parents is not	
	Not.Cred.		viable due to abuse, abandonment or	
	Notice of		neglect; and it has been determined	
	Hrg		that it is not in the minor's best interest	
	Aff.Mail		to return to El Salvador, his country of	
	Aff.Pub.		nationality. Petitioner states that	
	Sp.Ntc.		without this Court's approval and findings, the minor may not qualify for	
	Pers.Serv.		immigration relief and will be at risk of	
	Conf.		deportation to El Salvador, where his	
	Screen		mother is unable to take care of him	
	Letters		and protect him from dangerous gang	
	Duties/Supp		activities.	
	Objections		Memorandum of Points & Authorities	
	Video		attached.	
	Receipt			
	CI Report		Petitioner requests that this Court issue	
	9202		an Order making the requisite findings	
✓	Order		of fact that will allow Jose Marvin	
	Aff. Posting		Barrera Callejas to submit his petition for Special Immigration Juvenile Status to	Reviewed by: JF
	Status Rpt		the United States Citizenship &	Reviewed on: 02/24/15
<u> </u>	UCCJEA		Immigration Service.	Updates:
<u> </u>	Citation			Recommendation:
	FTB Notice			File 13B - Callejas

Farah, Nadia (for Jose Santos Quinteros – non-relative/Petitioner)

Petition for Appointment of Temporary guardianship of the Person

Age: 16	GENERAL HEARING: 02/26/15	NEEDS/PROBLEMS/COMMENTS:
	JOSE SANTOS QUINTEROS, non-relative (family friend), is Petitioner.	CONTINED FROM 01/21/15 As of 02/24/15, nothing further has been filed in regards to this
Cont. from 012615	Father: <b>JUAN JOSE BARRERA AGUILAR</b> – Consent & Waiver of Notice filed 12/22/14	Petition and the following notes remain:
Aff.Sub.Wit.  Verified  Inventory  PTC  Not.Cred.  Notice of Hrg  Aff.Mail  Aff.Pub.  Sp.Ntc.	Maternal grandfather: JOSE ABRAHAM  CALLEJAS – served by mail on 01/05/15	<ol> <li>Need Notice of Hearing.</li> <li>Need proof of service of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian of the Person or Consent &amp; Waiver of Notice or Declaration of Due Diligence for:</li> </ol>
Pers.Serv. ×  Conf. Screen  Letters  Duties/Supp  Objections  Video	Maternal grandmother: MANUELA REYES – served by mail on 01/05/15  Siblings: LANDER BARRERA CALLEJAS, JUAN JOSE BARRERA CALLEJAS, EVELIO BARRERA CALLEJAS, ANGIE MAYELO BARRERA CALLEJAS, ANGEL BARRERA CALLEJAS – all served by mail on 01/05/15	c. Oscar Orellana Guevara (minor)
Receipt CI Report 9202 ✓ Order Aff. Posting Status Rpt ✓ UCCJEA Citation FTB Notice	Petitioner states that Jose was born in El Salvador and lived there until he fled after being threatened with death by a gang if he did not join them. He was apprehended at the border in July 2014 and was released to Petitioner who has been caring for him since. Oscar is currently enrolled in school but has no legal guardian to direct medical treatment should an emergency arise or for his school to contact regarding educational concerns/needs of the minor.  If a guardianship is established Jose will be eligible for Special Immigration Juvenile	Reviewed by: JF Reviewed on: 02/24/15 Updates: Recommendation: File 13C - Callejas
	Status. Petitioner states that Jose's parents consent to the guardianship and a notarized statement from them is provided.	

### Elvin Alberto Hernandez Guardado (GUARD/P) Case No. 14CEPR01154 14 Atty

Farah, Nadia (for Maura Hernandez Martinez – Cousin – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

	See petition for details.			NEEDS/PROBLEMS/COMMENTS:
				Need Notice of Hearing.
				2. Need proof of personal service of
Со	nt 012215			Notice of Hearing with a copy of the
	Aff.Sub.Wit.			petition at least 15 days prior to the
~	Verified			hearing per Probate Code §1511 <u>or</u> consent and waiver of notice on:
	Inventory			- Elvin Hernandez Guardado (Minor)
	PTC			- Alberto Hernandez Lainez (Father)
	Not.Cred.			- Lidia Gaurdado Mejia (Mother)
	Notice of	X		Note: The consents signed by the
	Hrg			parents do not waive notice of
	Aff.Mail			hearing.
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	Х		
~	Conf.			
	Screen			
~	Letters			
~	Duties/Supp			
	Objections			
	Video			
	Receipt			
<b>V</b>	CI Report			
<u> </u>	Clearances			
_	Order			Davieure di bun ele
	Aff. Posting			Reviewed by: skc
-	Status Rpt UCCJEA			Reviewed on: 2-24-15 Updates:
ľ	Citation			Recommendation:
	FTB Notice			File 14B - Guardado
<b>L</b>	1 10 NOIICE			THE 1-10 - GUAIGAAA

14

Farah, Nadia (for Joaquin Bonilla – Uncle – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

			See petition for details.	NEEDS/PROBLEMS/COMMENTS:
>	Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of		See petition for details.	1. Notice of Hearing was mailed rather than personally served on the minor and his parents per Probate Code §1511.  Note: Although the petition refers to notarized consent by the parents, it does not appear to have been
	Hrg			included with the
~	Aff.Mail	W		petition.
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	Χ		
~	Conf. Screen			
~	Letters			
~	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
>	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 2-24-15
~	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 15B - Bonilla

Atty

Armo, Lance E. (for Robert Pickard – Petitioner – Son)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 12/29/2014		ROBERT PICKARD, son is petitioner and requests appointment as Administrator	NEEDS/PROBLEMS/COMMENTS:
		without bond.	
Co	ont. from	All heirs waive bond.	Note: If the petition is granted status hearings will be set as follows:
	Aff.Sub.Wit.	Full IAEA — o.k.	• Thursday, 06/25/2015 at 9:00a.m. in Dept. 303 for the filing
✓	Verified Inventory	Decedent died intestate	of the inventory and appraisal and
	PTC	Residence: Fresno	<u>unu</u>
	Not.Cred.	Publication: The Business Journal	• Thursday, 04/28/2016 at 9:00a.m. in Dept. 303 for the filing
✓	Notice of Hrg	Estimated value of the Estate:	of the first account and final distribution.
✓	Aff.Mail	Real property - \$5,000.00  Personal property - \$250,000.00	Pursuant to Local Rule 7.5 if the required
✓	Aff.Pub.	Total - \$255,000.00	documents are filed 10 days prior to the
	Sp.Ntc.	Probate Referee: Rick Smith	hearings on the matter the status hearing
	Pers.Serv.		will come off calendar and no
	Conf. Screen		appearance will be required.
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		Reviewed by: LV
	Status Rpt	_	<b>Reviewed on:</b> 02/24/2015
	UCCJEA	_	<b>Updates:</b> 02/25/2015
	Citation	_	Recommendation: Submitted
<u>L</u>	FTB Notice		File 16 - Pickard
			16

Atty

Simonian, Jeffrey D. (for Louis Wayne Wiebe – Executor)

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 4-4-12	LOUIS WAYNE WIEBE, Son, was appointed	NEEDS/PROBLEMS/COMMENTS:
	Executor with Full IAEA without bond and	Adinute Order 1 15 15: Mr. Simonian
	Letters issued on 6-25-12.	Minute Order 1-15-15: Mr. Simonian represents that they anticipate the
		returns currently being prepared by
Cont from 082313,	On 6-25-13, the Court set status hearing for	Paul Green will take another 10-14
101113, 121313,	the filing of the first account or petition for final distribution for 8-23-13.	days. Counsel and Mr. Lewis are both
021414, 041514,		directed to let Mr. Green know that
061714, 090414,	This is the 9 <sup>th</sup> status hearing.	this case has priority because it effects other people. Cont. to 022615.
011515		enecis omer people. Com. 10 022010.
Aff.Sub.Wit.	Status Report filed 1-14-14 states the estate	As of 2-24-15, nothing further has been
Verified	will likely be closed as an insolvent estate.	filed.
Inventory	All assets have been liquidated and	Need first account or petition for
PTC	converted to cash. Once he receives the accountant's statement for his services we	final distribution or written status
Not.Cred.	will know how much is available for	report pursuant to Local Rule 7.5.
Notice of	distributions to creditors. An initial draft of	<b>Note:</b> I&A filed 11-27-12 indicates a
Hrg	the petition has been completed except	total estate value of \$208,915.73
Aff.Mail	for the final amounts. Waivers of Account	consisting of cash and various real
Aff.Pub.	by the pecuniary and remainder	and personal property.
Sp.Ntc.	beneficiaries will be filed with the petition for final distribution. In addition, relocation	Note: There are four (4) separate
Pers.Serv.	of the attorney's practice caused	creditor's claims filed in this estate, as
Conf.	unanticipated delays. The attorney and	well as a Request for Special Notice.
Screen	Executor will attend the hearing on 1-15-15.	
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order	<u> </u>	
Aff. Posting		Reviewed by: skc
Status Rpt	_	Reviewed on: 2-24-15
UCCJEA	<u>_</u>	Updates:
Citation	_	Recommendation:
FTB Notice		File 17 – Wiebe
		17

Motsenbocker, Gary L. (for William Martin (Marty) Shiba – Executor)

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 07/04/12	WILLIAM MARTIN (MARTY) SHIBA, son,	NEEDS/PROBLEMS/COMMENTS:
	was appointed Executor with full IAEA and without bond on 03/28/13. Letters Testamentary were issued on 03/29/13.	CONTINUED TO 04/23/15
Cont. from 053014, 063014, 073014, 091714, 011515	Inventory & Appraisal, final filed 07/15/13 - \$68,775.68	Per Counsel's request
Aff.Sub.Wit.  Verified  Inventory  PTC  Not.Cred.  Notice of Hrg  Aff.Mail  Aff.Pub.  Sp.Ntc.  Pers.Serv.  Conf. Screen  Letters  Duties/Supp  Objections	Status Report filed 07/28/14 states: The office is currently in the process of preparing the petition and first account current in this matter. There is a Medi-Cal claim filed against the estate as well as a trust for this estate that is also considered in the estate plan. The executor and his attorney are currently in the process of completing negotiations and settlement of a dispute regarding the Medi-Cal claim. It is requested that this status hearing be continued for 45 days to allow time for the executor and his attorney to complete negotiations on the claim and to file the first account and report reflecting said negotiation and settlement.	CONTINUED FROM 01/15/15 As of 02/24/15, nothing further has been filed.  1. Need First Account/Report of Executor and Petition for Final Distribution and/or current written status report.
Video Receipt CI Report 9202 Order	Status Report filed 09/16/14 states: the attorney is currently preparing the petition and first account current in this matter. There is a medi-cal claim filed against the estate as well as a trust for	
Aff. Posting Status Rpt UCCJEA Citation FTB Notice	this estate that is also considered in the estate plan. The executor and attorney are currently working with the DHS regarding the claim filed by them in this matter. They are experiencing difficulties getting a timely response from the DHS regarding negotiations.	Reviewed by: JF  Reviewed on: 02/24/15  Updates: 02/25/15  Recommendation:  File 18 - Shiba
	An additional 90 day continuance is requested.	

Atty Kharazi, H. Ty (Yesenia Torres Fajardo – Administrator)

Status Hearing Re: Filing of the Inventory and Appraisal

	states freating ke. filling of the inventory at	
		NEEDS/PROBLEMS/COMMENTS:
		<b>_                                   </b>
		Off Calendar. Inventory and
		Appraisal filed 02/23/2015.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: LV
Status Rpt		<b>Reviewed on:</b> 02/24/2015
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 19 - Gutierrez

19

Martinez, Philip A. (for Executor Brian J. Griffin)

Status Hearing Re: Filing of the Inventory and Appraisal

Sidios flearing ke. Filling of the invertiory drid Appraisar						
DOD: 5/2	25/14	BRIAN J. GRIFFIN was appointed	NEEDS/PROBLEMS/COMMENTS:			
		Executor with full IAEA and without				
		bond on 10/23/14.	<ol> <li>Need Inventory and Appraisal.</li> </ol>			
		1				
		Letters issued on 10/24/14.				
Cont. fro	m					
Aff.Su	ub.Wit.	Minute order dated 10/23/14 set this				
Verifi	ied	status hearing for the filing of the				
Inver	ntory	inventory and appraisal.				
PTC						
Not.C	Cred.					
Notic	ce of	Status Report filed on 2/19/15 states the				
Hrg		executor works and lives in Aromas,				
Aff.M	\ail	California and has experienced some				
Aff.Pu		delay in marshalling the assets, as all				
		are located in Fresno. However, the				
Sp.Nt		executor is informed and believes that				
Pers.S		he has now located all the assets of the				
Conf.		estate. The executor expects that a				
Scree	en	completed inventory and appraisal will				
Lette	rs	be submitted to the probate referee				
Dutie	es/Supp	prior to the status hearing. Once the				
Obje	ections	required assets have been appraised				
Video	0	the executor will be fully prepared to				
Rece	eipt	file the completed inventory with the				
CI Re	eport	court.				
9202						
Orde	er					
Aff. P	osting		Reviewed by: KT			
Statu	s Rpt		Reviewed on: 2/24/14			
UCC.	JEA		Updates:			
Citati	ion		Recommendation:			
FTB N	lotice		File 20 - Griffin			

Atty

Fanucchi, Edward L. (for Kathryn Padgett – Former Temporary Conservator)
Probate Status Hearing RE: Accounting

	KATHRYN PADGETT, Spouse, was	NEEDS/PROBLEMS/COMMENTS:
	appointed Temporary Conservator of	·
	the Person and Estate ex parte on	
	10-17-14 with bond of \$109,046.00.	
A# CI- W"	Letters issued 10-17-14 (without bond).	
Aff.Sub.Wit.	A L III - II - II - II - II - II - II -	
Verified	At the hearing on the temporary	
Inventory	conservatorship petition on 10-23-14, the Court ordered the temporary	
PTC	conservatorship terminated.	
Not.Cred.		
Notice of	At the hearing on the general	
Hrg	conservatorship on 11-20-14, the matter	
Aff.Mail	was dismissed, and the Court set this	
Aff.Pub.	status hearing for the filing of an	
Sp.Ntc.	account.	
Pers.Serv.	Status Report filed 2-9-15 states no	
Conf.	matters were handled by Petitioner	
Screen	from 10-17-14 to 11-20-14; therefore,	
Letters	there is nothing to account for to the	
Duties/Supp	Court.	
Objections		
Video		
Receipt		
CI Report		
9202		
Order	_	
Aff. Posting	_	Reviewed by: skc
Status Rpt		Reviewed on: 2-24-14
UCCJEA		Updates:
Citation	_	Recommendation:
FTB Notice		File 21 - Padgett

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22 Laing, Brenda C. (Pro Per – Mother) Atty

Probate Status Hearing RE: Proof of Funds in a Blocked Account

	BRENDA C. LAING, Mother, filed a	NEEDS/PROBLEMS/COMMENTS:
	Petition for Order Regarding the Transfer of Money Belonging to Minor to	1. Need Receipt and
	Custodian under CUTMA on 9-22-14.	Acknowledgment of Order for the
		Deposit of Money into Blocked
Aff.Sub.Wit.	At hearing on 1-15-15, the Court	Account (MC-356).
	ordered proceeds from the father's life insurance policy that are being held for	
Verified	the benefit of beneficiary Emily	
Inventory	Elizabeth Laing, including any interest,	
PTC No. d	to be placed into a blocked account,	
Not.Cred.	and set this status hearing for proof of	
Notice of Hrg	funds in a blocked account.	
Aff.Mail	Order to Deposit Money Into Blocked	
Aff.Pub.	Account filed 1-15-15 indicated the	
Sp.Ntc.	total amount authorized for deposit is	
Pers.Serv.	\$16,640.00.	
Conf.	1	
Screen		
Letters		
Duties/Supp		
Objections		
Video	]	
Receipt		
CI Report		
9202	1	
Order	1	
Aff. Posting	4	Reviewed by: skc
Status Rpt	1	Reviewed on: 2-24-15
UCCJEA	-	Updates:
Citation	-	Recommendation:
FTB Notice		File 22 - Laing

Pro Per Reyes, Maria De Jesus (Pro Per Petitioner, mother)

First Amended Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

		reison (riob. C. 1620, 1621, 2660-2662	<u>)                                    </u>
		NO TEMPORARY REQUESTED	NEED
		MARIA DE JESUS REYES, mother, is Petitioner and requests appointment	Cour 11/1
ont. from 01081	5		Cont
•		medical consent powers.	Orde
		Need Capacity Declaration.—	in op
		Capacity Declaration filed 2/24/2015	allov
<u> </u>		does not support the Petitioner's	
PTC		request for medical consent powers.	The f
Not.Cred.		Places and Political for details	hear
Notice of		~rieuse see relition for defails~	1. P
Hrg			р
Aff.Mail	W/		D
Aff.Pub.		Court Investigator's Report was filed	SU
Sp.Ntc.		on 12/18/2014.	p 1
Pers.Serv.			fil
Conf			tŀ
			С
Letters			2. P
Duties/Supp			2: 0
Objections			n
Video			<u>P</u> <b>R</b>
Receipt			
CI Report			si C
	<u> </u>		(1
i			in
Oldei			h
			1:
Aff. Posting			Revie
Status Rpt			Revie
UCCJEA			Updo
Citation			Reco
FTB Notice			File :
	Aff.Sub.Wit.  Verified  Inventory  PTC  Not.Cred.  Notice of Hrg  Aff.Mail  Aff.Pub.  Sp.Ntc.  Pers.Serv.  Conf. Screen  Letters  Duties/Supp  Objections  Video Receipt  CI Report  9202  Order  Aff. Posting  Status Rpt  UCCJEA  Citation	Verified  Inventory  PTC  Not.Cred.  Notice of Hrg  Aff.Mail W/  Aff.Pub.  Sp.Ntc.  Pers.Serv.  Conf. Screen  Letters  Duties/Supp  Objections  Video Receipt  CI Report  9202  Order  Aff. Posting Status Rpt UCCJEA Citation	MARIA DE JESUS REYES, mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.  Aff.Sub.Wit.  Verified  Inventory  PTC  Not.Cred.  Notice of Hrg  Aff.Mail  Aff.Pub.  Sp.Ntc.  Pers.Serv.  Conf. Screen  Letters  Duties/Supp  Objections  Video Receipt  CI Report  9202  Order  Aff. Posting Status Rpt UCCJEA  Citation

### NEEDS/PROBLEMS/COMMENTS:

Court Investigator Advised Rights on 11/18/2014.

<u>Continued from 1/8/2015</u>. Minute Order states examiner notes handed in open Court; matter continued to allow the defects to be cured.

## The following issues from the last hearing remain:

- Petition requests medical consent powers. Need Medical Capacity Declaration [form GC-335] in support of Petitioner's request pursuant to Probate Code § 1890(c).—Capacity Declaration filed 2/24/2015 does not support the Petitioner's request for medical consent powers.
- Pursuant to Probate Code §§
  2352(c) and 1822(e), need proof
  of service by mail of 30 days'
  notice together with a copy of the
  Petition for CENTRAL VALLEY
  REGIONAL CENTER (CVRC), or a
  signed waiver of such notice by
  CVRC to be filed with the Court.
  (Note: This issue has been included
  in examiner notes since the
  hearing for the initial petition on
  12/9/2014.)

Reviewed by: LEG
Reviewed on: 2/25/15
Updates: 2/25/15
Recommendation:
File 23 – Reyes

# Zenaida Clara Vargas, Joeleen Clarissa Munoz, Case No. 14CEPR01027 and Evangelina Sophie Pascual (GUARD/P) Minjarez, Paula Medrano (Pro Per – Petitioner) Petition for Appointment of Guardian of the Person (Prob. C. 1510) 24

Atty

		See petition for details.	NEEDS/PROBLEMS/ COMMENTS:
CC	Aff.Sub.Wit.  Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report Clearances Order		Minute Order 1-15-15: Deputy Yang hands Ms. Munoz, mother, a copy of the petition and notice of hearing in open court. Ms. Munoz objects for the record; written objections are to be filed and served by 2/13/15. The Court orders the Court Investigator to re-interview the parties and report back to the court. Cont. to 022615. Temp ext to 022615.  As of 2-23-15, nothing further has been filed.
	Aff. Posting		Reviewed by: skc
	Status Rpt		Reviewed on: 2-23-15
~	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 24 – Vargas, Munoz & Pascual

24

Hicks, David V (Pro Per – Petitioner)

Petition to Determine Succession to Real Property (Prob. C. 13151)

	Petition to Determine Succession to Real Property (Prob. C. 13151)							
DOD: 09/22/2012			<b>DAVID V. HICKS</b> , is petitioner.	NEEDS/PROBLEMS/COMMENTS:				
			40 Days since DOD	Minute Order of 01/08/2015: Examiner note handed in open court; matter continued to				
			No other proceedings	II	ow the defects to be cured. Any			
Со	nt. from 010815			II	ojections are to be filed and properly rved.			
	Aff.Sub.Wit.		I&A - \$120,000.00					
✓	Verified		Decedent died intestate.	No Written Objections have been filed.				
✓	Inventory			The	e following issues remain:			
	PTC		Petitioner requests Court determination that decedent's interest in real	1.	The petition does not provide the			
	Not.Cred.		property located at 3609 N. Palm,		relationship between the decedent and			
✓	Notice of Hrg		Fresno Ca. pass 100% to petitioner,		the petitioner.			
✓		w/	David V. Hicks.	2.	was also survived by Derek R. Hicks, Lelon			
	Aff.Pub.				P. Hicks, sons, and Norchelle Hicks,			
	Sp.Ntc.				adopted daughter, and Helen Hicks, daughter. Pursuant to Probate Code			
	Pers.Serv.				§13152 all who succeed to the property			
	Conf.				must petition.			
	Screen			3	#9a(1) or #9a(2) of the petition was not			
	Letters			٥.	answered regarding spouse.			
	Duties/Supp			,				
	Objections			4.	#9a(3) or #9a(4) of the petition was not answered regarding registered domestic			
	Video				partner.			
	Receipt			_	·			
	CI Report			5.	#9a(7) or #9a(8) of the petition was not answered regarding issue of			
<b>√</b>	9202 Order				predeceased child.			
				6.	Attachment 11 does not provide the decedent's interest in the real property.			
				7.	Notice of Hearing filed 12/10/2014 states that this is a Hearing on a Petition for Final Distribution on a Waiver of Accounting not a Petition to Determine Succession.			
	Aff. Posting			Reviewed by: LV				
	Status Rpt			<b>Reviewed on:</b> 02/24/2015				
	UCCJEA			Updates:				
	Citation			Recommendation:				
	FTB Notice			File 25 – Hicks				
	25							

Garcia, Maria Magdalena (Pro Per – Paternal Grandmother – Petitioner)

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

	retition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)					
			See petition for details.	NEEDS/PROBLEMS/COMMENTS:		
				Need proof of personal     service of Notice of Hearing     with a copy of the temp		
				petition at least five court days		
	Aff.Sub.Wit.			prior to the hearing pursuant		
>	Verified			to Probate Code §2250(e) on:		
	Inventory			- Sarah Ai Kataoka (Mother)		
	PTC					
	Not.Cred.					
~	Notice of					
	Hrg					
	Aff.Mail					
	Aff.Pub.					
	Sp.Ntc.					
	Pers.Serv.	Χ				
~	Conf.					
	Screen					
~	Letters					
~	Duties/Supp					
	Objections					
	Video					
	Receipt					
	CI Report					
	9202					
~	Order					
	Aff. Posting			Reviewed by: skc		
	Status Rpt			Reviewed on: 2-24-15		
	UCCJEA			Updates:		
	Citation			Recommendation:		
	FTB Notice			File 26 - Duran		

Cunningham, Nikole E. (for Petitioner Phillip Gimbarti)

## Petition for Appointment of Temporary Conservator of the Estate

			TEMPORARY EXPIRES 2/26/15	NEEDS/PROBLEMS/
			General hearing 3/30/15	COMMENTS:
Сс	nt. from		PHILLIP GIMBARTI, son, is petitioner.	Court Investigator Advised Rights (via telephone) on 2/20/15.
	Aff.Sub.Wit.		Please see petition for details.	
✓	Verified			Note: The temporary was granted ex parte
	Inventory		Court Investigator Report filed on 2/20/15	on 2/17/15 with bond
	PTC			set at \$31,450.00. Bond
	Not.Cred.			has not been filed and
	Notice of Hrg	Χ		Temporary Letters have not issued.
	Aff.Mail	Χ		Need Notice of
	Aff.Pub.			Hearing.
	Sp.Ntc.			2. Need proof of
	Pers.Serv.			personal service of
✓	Conf.			the Notice of Hearing on:
	Screen			a. Patti Moses
	Letters			(proposed
✓	Duties/Supp			conservatee)
	Objections			3. Need proof of
	Video			service of the Notice of Hearing
	Receipt			on:
✓	CI Report			a. Mark Gimbarti
	9202			(son)
	Order			b. Harold Moses (father)
				c. Dianne Moses
				(mother)
				Dianna Lockett
				(sister)
				d. Mark Moses (brother)
	Aff. Posting			Reviewed by: KT
	Status Rpt			<b>Reviewed on:</b> 2/25/15
	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 27 - Moses
				27

Atty

Neilson, Bruce A. (for Janette Courtney – Executor – Petitioner)

- First and Final Account and Report of Executor and Petition for Its Settlement,
   for Allowance to Executor and Attorneys for Compensation for Ordinary and
- Extraordinary Services and for (3) Final Distribution

DO	D: 6-9-11	JANETTE COURTNEY, Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
Co	nt from 022515	Account period: 9-15-11 through present Accounting: \$560,956.26	SEE PAGE 2
	Aff.Sub.Wit.	Beginning POH: \$498,824.07 Ending POH: \$311,890.22	
		(\$86,890.22 cash plus real property in Mariposa County)	
<b>-</b>	Verified	(\$00,070.22 cash pios real property in Manposa Coorny)	
	Inventory PTC	Executor (Statutory): \$14,171.36	
Ť	Not.Cred.		
<u> </u>	Notice of	Attorney Bruce A. Neilson (Statutory): \$14,171.36	
	Hrg	Attorney Bruce A. Neilson (Extraordinary): \$1,000.00	
-	Aff.Mail W	(for services in connection with the sale of the Visalia	
	Aff.Pub.	commercial real property, pursuant to Local Rule 7.18.A.)	
	Sp.Ntc.		
	Pers.Serv.	Attorney Scott Ivy (Extraordinary): \$62,049.28 (for services in connection with the litigation filed against	
	Conf. Screen	Petitioner and this estate, pursuant to declaration and	
~	<b>Letters</b> 9-15-11	itemization at Exhibit B) <b>Petitioner has already paid said</b>	
	Duties/Supp	attorney compensation from her own funds and requests	
	<b>Objections</b>	reimbursement from the estate.	
	Video	Closing: \$2,500.00	
	Receipt	Closing. \$2,500.00	
	CI Report	<b>Petitioner states</b> because there insufficient funds in the estate	
~	9202	to pay the executor and attorney's fees in full, Petitioner and	
~	Order	her attorney will accept a prorated portion of the cash	
	Aff. Posting	remaining in the estate after the reserve tor taxes and closing expenses is deducted. Any unused portion of the	Reviewed by: skc
	Status Rpt	reserve after the above payments shall be distributed in	Reviewed on: 2-19-15
	UCCJEA	equal shares to the residuary beneficiaries.	<b>Updates:</b> 2-24-15
	Citation	1	Recommendation:
~	FTB Notice	Distribution pursuant to Decedent's will:	File 28 -
		Steven Thomas: Real property in Mariposa (specific bequest)	Drummond
		Petitioner states after payment of the expenses of administration as set forth above there does not appear to be any remaining cash for distribution to the beneficiaries. Any remaining cash assets after closing expenses, attorney's fees and executor's fees are paid will be divided in equal shares to Janette Courtney, David A. Thomas, Joanne E. Dawson, and Sandra L. Thompson.	

## Page 2

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## **NEEDS/PROBLEMS/COMMENTS:**

1. Petitioner paid extraordinary fees totaling \$62,049.28 to Attorney Scott Ivy in connection with the litigation against the estate, and requests reimbursement. The Court may require clarification with reference to Cal. Rules of Court 7.700, which states:

### (a) No compensation in advance of court order

The personal representative must neither pay nor receive, and the attorney for the personal representative must not receive, statutory commissions or fees or fees for extraordinary services in advance of an order of the court authorizing their payment.

#### (b) Surcharge for payment or receipt of advance compensation

In addition to removing the personal representative and imposing any other sanctions authorized by law against the personal representative or the attorney for the personal representative, the court may surcharge the personal representative for payment or receipt of statutory commissions or fees or fees for extraordinary services in advance of an order of the court authorizing their payment. The surcharge may include interest at the legal rate from the date of payment.

Note: Exhibit B, Attorney Declaration Re Compensation, describes the benefit to the estate, and provides itemization in the form of billing statements for services in connection with the Petition to Determine Validity of Trust Instruments filed 12-19-11 in this matter and the related civil action, 11CECG04320. The declaration states the litigation was successfully settled to the benefit of the estate, as the Drummond Company agreed not to seek collection of outstanding loans owing by the decedent, saving the estate in excess of \$200,000.00. The litigation had stalled the sale of the Visalia property owned by the estate, and by the settlement, the complaining party agreed not to object to the sale, opening the way for the sale to provide funds to the estate. The parties agreed that the settlement would not impair or impede Petitioner's right to petition the probate court for reimbursement of her attorney's fees and costs incurred in the litigation. Petitioner paid for the defense from her own funds, for reasonable attorney's fees for extraordinary services, and should be reimbursed for \$62,049.28.

- 2. Many of the expenses charged include expenses considered by this Court to be costs of doing business and not reimbursable, such as charges for photocopies, computer research fees, clerical services, travel/telephonic appearance costs, and runner/document services. The Court may disallow these charges. (Examiner calculates a total of \$1,251.86 in non-reimbursable expenses.)
- The total cost also includes \$3,867.82 in interest charged on the various billing statements. The
  Court may require clarification or authority for interest charges on extraordinary fees not yet
  authorized by the Court.
- 4. Declaration states Attorney Scott Ivy of Lang Richert and Patch undertook defense of the litigation on behalf of Petitioner; however, the billing statements appear to include work from additional staff. The Court may require clarification regarding the identity and qualification of those included in the billing. Are they attorneys? Paralegals pursuant to Probate Code §10811 and Cal. Rule of Court 7.703(e)? Other secretarial staff? See Declaration of Scott Ivy filed 2-25-15.

## Page 3

**Declaration Re Attorney Fee Reimbursement filed 2-24-15 states** the examiner notes expressed that the Court may require clarification of the attorney fee reimbursement in light of CA Rule of Court 7.700. Mr. Neilson submits the following in response:

The rule of court cited is to prohibit payment from estate assets prior to court authorization. In this case, no estate assets were used to pay the litigation attorney fees at issue; they were paid from the petitioner's own assets. Reimbursement is now sought to obtain court approval of reimbursement. This procedure was contemplated by the settlement of the litigation, which settlement agreement, approved by this Court (Judge Oliver), provided that the settlement agreement will not impair or impede Janette's right to petition the probate court for reimbursement of some or all of her attorney's fees and costs incurred in the litigation from the estate (attached). Petitioner is following that contemplated procedure and is now seeking the Court's approval.

Declaration of Scott Ivy filed 2-25-15 states the services rendered by other individuals were three associate attorneys (ANE Ashley N. Emerzian, ALB Adam L. Brand, and JMK Jay M. Kelly) and a paralegal (SH Shari Hiatt) working at his direction and under his supervision on the litigation. The charges for time other than Scott Ivy totals \$2,255.00.

## **Espinola Family Trust of 1990**

## Case No. 14CEPR00430

- Atty Kaufman, Jeffrey; Brawley, Mason, of Berliner Cohen of Merced (for Petitioners Eugene Espinola, Marvin Espinola, and Margaret Corvello, Beneficiaries)
- Atty Esraelian, Robyn, of Richardson, Jones & Esraelian (for Respondents James Espinola and Irene Espinola

St. Martin, Trustees)

Atty Rube, Melvin K., sole practitioner (also for Respondents James Espinola and Irene Espinola St. Martin, Trustees)

Notice of Motion and Motion to Enforce Settlement Agreement

NO							
Oliver DOD: 9/1/2006							
Virginia DOD: 4/29/2012							
C	ont. from						
	Aff.Sub.Wit.						
✓	Verified	De cl.					
	Inventory						
	PTC						
	Not.Cred.						
	Notice of Hrg	Х					
✓	Aff.Mail	W/					
	Aff.Pub.						
	Sp.Ntc.						
	Pers.Serv.						
	Conf.						
	Screen						
	Letters						
	Duties/Supp						
	Objections						
	Video						
	Receipt						
	CI Report						
	9202						
	Order	Χ					
	Aff. Posting						
	Status Rpt	igsqcup					
	UCCJEA	igsqcup					
	Citation	igsquare					
	FTB Notice						
1							

EUGENE ESPINOLA, MARVIN ESPINOLA and MARGARET CORVELLO, children and Beneficiaries of 3 irrevocable Sub-Trusts created under the ESPINOLA FAMILY TRUST of 1990 (namely SURVIVOR'S TRUST, RESIDUAL TRUST and MARITAL TRUST), move for an order to enforce the settlement agreement reached in open court on 9/22/2014.

## Movants state:

- Motion is made on the grounds that the parties agreed to the terms of a settlement in open court during a settlement conference before Judge Oliver on 9/22/2014, and said agreement contemplated the execution of a more formal and comprehensive written agreement;
- Responding parties have failed and refused to execute a written agreement that is consistent with the agreement reached in open court, and Petitioners seek to enforce the settlement pursuant to Code of Civil Procedure § 664.6, and to have judgment entered accordingly;
- Motion is based on this Notice of Motion, the declaration of Jeffrey S. Kaufman, the Memorandum of Points and Authorities, the Request for Judicial Notice, the records and file, and on such evidence as may be presented at the hearing of the Motion.

~Please see additional page~

## **NEEDS/PROBLEMS/COMMENTS:**

This matter will be heard in Dept. 72 at 8:30 a.m.

#### Notes:

- Minute Order dated 9/22/2014 from the Settlement Conference Hearing states: "Settlement agreement read in open Court. All parties agree. Counsel will submit settlement agreement for signature." Court records do not show that a settlement agreement has been filed with the Court.
- First Report and Account of Co-Trustees and Petition for Its Settlement filed on 2/6/1015 is set for hearing on 3/23/2015 at 8:30 a.m. in Dept. 72.
- Order Granting Ex Parte Application to Continue Trial filed 2/3/2015 reschedules the Court Trial of this matter to 4/7/2015 at 8:30 a.m. in Department 72.

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First Additional Page, Espinola Family Trust of 1990 Case No. 14CEPR00430

Memorandum of Points and Authorities in Support of Motion to Enforce Settlement Agreement was filed 1/12/2015.

Request for Judicial Notice in Support of Motion to Enforce Settlement Agreement was filed on 1/12/2015.

Declaration of Jeffrey S. Kaufman in Support of Motion to Enforce Settlement Agreement was filed on 1/12/2015.

Declaration of Melvin K. Rube in Opposition to Motion to Enforce Settlement Agreement was filed on 1/13/2015.

Memorandum of Points and Authorities in Opposition to Motion to Enforce Settlement Agreement was filed by Respondents on 2/13/2015.

#### NEEDS/PROBLEMS/COMMENTS, continued:

- 1. Certificate of Service filed by Movants on 1/15/2015 does not indicate pursuant to Probate Code §S 1042 and 1220(a)(1) that the time and place of the hearing on 2/26/2015 was mailed to the persons required to be given notice. Certificate of Service indicates the Motion and supporting documents were served on 1/13/2015, which informs the Court that the hearing date of 2/26/2015 could not have been included with the service of notice since the 2/26/2015 hearing date was not provided to Movants until the date the motion was filed on 1/15/2015.
- 2. **Need proposed order** to be submitted by Movants pursuant to Local Rule 7.1 which provides a proposed order shall be submitted with all pleadings that request relief.